

REMARKS

Claims 23-64 remain in this application, with Claims 30 and 51 amended. Claims 30 and 51 are amended to correct clerical errors, and the scope of the claims is not changed by the amendments. By these amendments, no new matter has been added. The Applicant respectfully requests reconsideration and review of the application as amended, in view of the enclosed declaration and these remarks.

The Examiner rejected Claims 23-64 under 35 U.S.C. § 102(e) as anticipated by Bruck. This rejection is respectfully traversed. Moreover, the enclosed declaration of Brian M. Shuster and the Exhibits A-B attached thereto pursuant to 37 C.F.R. § 1.131 establishes that the invention was reduced to practice prior to the effective date of the Bruck reference, and this reference is therefore not effective as prior art against the present application. This rejection should therefore be withdrawn.

Additionally, Bruck does not anticipate any of Claims 23-64. Instead, Bruck discloses a fundamentally different method. The method of Bruck is for controlling the display of intermediate content by a browser device, and not (unlike the present invention) for modification of browser functions themselves. The intermediate content is typically determined by a host server independently of a user selection. Col. 8, ll. 48-50. The intermediate content is only displayed and controlled during a transition from a first user-selected content page to a second user-selected content page. The second user-selected page replaces the intermediate content after the second user-selected page is downloaded. Col. 8, ll. 39-43. Bruck discloses using HTML codes, links, or URL's to encode attributes that are detected by software 14 on a host server 13. Col. 9, ll. 5-9. An override 16 in the software 14 then controls the display of the intermediate content based on the encoded attributes.

Bruck fails to disclose or suggest controlling the display of content using program instructions in content pages or frameset pages that operate on the *recipient computer* (as opposed to a host computer), or that cause the recipient computer to request a

second content page upon activation of its browser's frameset-unloading or page-unloading functions. Thus, Bruck is different from and inferior to the present invention. Bruck requires a host computer separate from the browser device (recipient computer) and separate from the remote publishing servers to provide and control the display of intermediate content. In contrast, the present invention allows any publisher of a web page to control the operation of a recipient computer without the need of any control device other than the web page itself. Moreover, unlike the present invention, Bruck is incapable of modifying the operation of a browser's page-unloading and frameset-unloading functions, for example, is incapable of causing a browser's "back" function to display a second page instead of the previous page, or causing a second page to be displayed when a user attempts to exit the browser by closing the browser window.

More specifically, with respect to independent Claims 23 and 44, Bruck fails to disclose or suggest transferring a frameset page to a recipient computer, the frameset page including "an unload function configured to execute upon activation of the at least one frameset-unloading function of the browser without the selection of any link on the first content page, whereby the unload function causes the recipient computer to request a second content page." Despite a careful review of the Bruck reference, Applicant has not discovered anything to even remotely suggest the foregoing step. Bruck does disclose a frame region 108, but states that the frame region is *not essential*. Col. 7, ll. 38-50. In contrast, the frameset page defined by Claims 23 and 44 is not a merely non-essential display region, because it contains the essential unload function that enables operation of the invention, as well as providing a frame for display of content pages. Bruck further fails to disclose or suggest including an executable unload function in the frameset page. Instead, Bruck discloses controlling the transition between content pages using software on a host server to detect encoded attributes on a content page. That is, Bruck merely teaches using the defined attributes on the content page as inputs for the override function that executes on the host server. The

encoded attributes of Bruck are not executable functions, and, unlike the invention, do not execute to cause the recipient computer to request a second page.

Similarly, with respect to independent Claims 30 and 51, Bruck fails to disclose or suggest the step of transferring a frameset page to a recipient computer, the frameset page specifying a frameset having a "control frame for loading the first control page and the second control page in sequence," and "a display frame for displaying the first content page". That is, Bruck utterly fails to disclose or suggest any frameset having a control frame. Moreover, Bruck fails to disclose or suggest "transferring a first control page and a second control page to the recipient computer with the first content page"; and further fails to disclose or suggest "loading the first control page and second control page in sequence" into the control frame of the frameset.

Further with respect to Claims 30 and 51, Bruck fails to disclose or suggest any page with an executable unload function, i.e., the "page-unloading function on the first control page," capable of operating on the recipient computer to cause it to request a second content page. This fundamental deficiency also applies with respect to all of the other pending claims, including independent Claims 37 and 58. Bruck fails to disclose or suggest placing any unload function that executes on the recipient computer, and so much the more fails to disclose an unload function that operates specifically as recited by the claims.

While Bruck fails to disclose or suggest other elements of the invention as well, the deficiencies of Bruck set forth above are more than sufficient to clearly establish that Bruck does not anticipate any of Claims 23-64. Therefore, if for any reason the enclosed declaration is deemed insufficient to overcome Bruck, the rejection of Claims 23-64 should be withdrawn for the additional reasons set forth above.

In view of the foregoing, the Applicant respectfully submits that Claims 23-64 are in condition for allowance. Reconsideration and withdrawal of the rejections is respectfully requested, and a timely Notice of Allowability is solicited.

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To the extent it would be helpful to placing this application in condition for allowance, the Applicants encourage the Examiner to contact the undersigned counsel and conduct a telephonic interview.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

While the Applicant believes that no fees are due in connection with the filing of this paper, the Commissioner is authorized to charge any shortage in the fees, including extension of time fees, to Deposit Account No. 50-0639.

Respectfully submitted,

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Enclosure: Declaration of Brian M. Shuster
Exhibit A to Declaration
Exhibit B to Declaration